

**REMARKS**

Favorable reconsideration of this application as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 4, 5, 10, 13-21, 23-30, 32, 33, and 47-54 are pending in the present application. Claims 1, 10, and 21 are amended and Claims 47-54 are added by the present amendment.

In the outstanding Office Action, Claims 1, 4, 5, 10, 13-21, 23-27, 29-30, 32, and 33 were rejected under 35 U.S.C. § 103(a) as unpatentable over Daily et al. (U.S. Patent Application Publication No. 2004/0123320, herein "Daily") in view of Duarte (U.S. Patent No. 7,093,201), and Claim 28 was rejected under 35 U.S.C. § 103(a) as unpatentable over Daily in view Duarte and Butler (U.S. Patent No. 6,154,199).

Applicant thanks Examiner Orr and his supervisor for the courtesy of an interview extended to Applicant's representative on December 20, 2007. During the interview, the differences between the claims and the applied art were discussed. Further, clarifying claim amendments, similar to those presented herewith were also discussed. The Examiners indicated that the discussed claim amendments appear to overcome the applied art. Arguments presented during the interview are reiterated below.

Initially, it is noted that an Information Disclosure Statement (IDS) filed on March 4, 2005, has not been acknowledged as considered. Thus, Applicant respectfully requests that the next Office Communication encloses the 1449 form of the IDS filed March 4, 2005, initialized as considered.

Independent Claims 1, 10, and 21 have been amended to more clearly recite that at a current semantic level, a plurality of media items are displayed, and at a different semantic level, after one of the media items has been selected, the selected one of the media items is displayed while the other media items are not displayed. The claim amendments find support in Figures 19 and 20 and their corresponding description in the specification. No new matter has been added.

Briefly recapitulating, amended Claim 1 is directed to a control framework for organizing, selecting, and launching media items. The control framework includes, inter alia, means for organizing the media items which are represented by different images at a current semantic level, means for selecting one of the media items for display at a different semantic level, and means for transitioning from the current semantic level to a different semantic level. The one of the media items is displayed together with other media items at the current semantic level and the one of the media items is displayed without the other media items at the different semantic level. The means for transitioning simultaneously changes a size of the respective one of the different images and translates the respective one of the different images from a first location at the current semantic level to a second location at the different semantic level. Independent Claims 10 and 21 have been amended in a manner similar to that of Claim 1.

Turning to the applied art, Daily discloses an interactive multimedia selection guide provided on a computer and capable of displaying on a screen, as shown in Figure 1(a), a plurality of icons corresponding to movies, music, news, etc. A user can

select one icon, movies for example, and then a number of movies are displayed, as shown in Figure 1(b). However, as discussed during the interview, the selected icon shown in Figure 1(a) is not displayed in Figure 1(b), contrary to amended Claim 1 in which the image associated with a selected media item is displayed at both the current semantic level and at the different semantic level.

Further, a user in Daily can select one of the icons to zoom in the selected icon, as shown in Figures 2(a)-(c) or can play a media associated with the selected icon. In this respect, Figure 7 shows a flowchart indicating that in step 702 various icons are displayed on a display, and then zoom in, zoom out, and pan operations are available to the user in one of the steps 704, 708, and 712. After using one or more of these operations, the user selects in step 716 one icon and the media associated with the selected icon is played back as shown in step 720. However, after selecting the icon, that icon is not displayed by the guide of Daily.

Thus, Daily does not teach or suggest a current semantic level at which plural icons are displayed and a different semantic level at which one selected icon from the current semantic level is displayed and the other icons are not displayed as required by amended Claims 1, 10, and 21. In addition, Daily does not teach or suggest, as acknowledged by the outstanding Office Action on page 4, second full paragraph, a unit for transitioning from a current semantic level to a different semantic level as required by independent Claims 1, 10, and 21.

In order to cure this last deficiency of Daily, the outstanding Office Action relies on Duarte for showing in Figure 11 how the size of an icon 101 is increased when selected by a user. Duarte discloses a loop menu navigation apparatus that has a curved-listing file hierarchy, as shown for example in Figure 1. Figure 1 shows that a plurality of items 3-11, which are related to a heading 13, are displayed on a curved line instead of a traditional straight line in order to offer a better view to the user when the items are displayed on a small screen. Duarte shows in Figures 1-6 various examples of the curved-listing of the icons.

However, Duarte does not teach or suggest displaying, at a current semantic level, plural images of media items and at a different semantic level, one image of one media item but not the other images of the other items as required by amended Claims 1, 10, and 21. In this regard, Figure 11 of Duarte only shows that once an item 101 has been selected, the size of the item increases but both the selected item 101 and the remaining items 100 are displayed, i.e., all the items are displayed at each level, which is different from the claimed invention.

In addition, as also discussed during the interview, neither Daily nor Duarte teaches or suggests translating a selected image of a media item from a first location to a second location.

Thus, it is respectfully submitted that independent Claims 1, 10, and 21 and each of the claims depending therefrom patentably distinguish over Daily and Duarte, either alone or in combination.

Butler has been considered but does cure the deficiencies of Daily and Duarte discussed above with regard to the independent claims. Thus, it is respectfully submitted that dependent Claim 28 patentably distinguishes over Daily, Duarte and Butler, either alone or in combination.

New claims 47-54 have been added and Applicant submits the new claims are supported by the originally filed specification. More specifically, new Claims 47-52, which depend from independent Claims 1, 10, and 21, find support in Figures 19 and 20 and in the specification in paragraph [0071] and new Claims 51 and 52 recite features similar to independent Claim 1. No new matter has been added. Accordingly, it is respectfully submitted that new Claims 47-54 are allowable for similar reasons as discussed above with regard to independent Claims 1, 10, and 21.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested. Should the Examiner have any questions regarding this response or the application in general, he is invited to contact the undersigned at (540) 361-2601.

Respectfully submitted,

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